

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Slivka et al. Confirmation No.: 7650
Appn. No. : 10/676,868
Filed : September 30, 2003
Title : METHODS FOR TREATMENT OF DEFECTS IN THE
INTERVERTEBRAL DISC

Art Unit : 1651
Examiner : Leon B. Lankford Jr.

I hereby certify that this correspondence is being deposited via electronic transmission (EFS)
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April 17, 2006

(Date of Deposit)

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(Name of applicant, assignee, or Registered Representative)

/Theodore J. Shatynski/
(Signature)

April 17, 2006

(Date of Signature)

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Commissioner for Patents
P.O. Box 1450
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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This correspondence is in response to the Restriction Requirement mailed April 21, 2006. Applicants hereby elect, with traverse, SIS from Group I, cells harvested from spinal discs from Group II, bone marrow from Group III and GDF-5 from Group 4 which read on claims 1-7, 12-14, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. The grounds of traversal are based on the reasoning that the burden placed on Applicant to prosecute

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Response to Restriction Requirement
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multiple patent applications far outweighs the additional burden placed on the Examiner to do any additional searching. Early consideration of this request is appreciated. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the phone number given below.

Respectfully submitted,

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